

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-2, 4-10 and 12-18 are pending. Claims 1, 4 and 6-9 are amended, and Claim 18 is new. Support for the changes to the claims is found in at least the original claims,¹ in the drawings at least in Figs. 2 and 5, and in the specification at least at page 22, lines 3-10 and at page 23, lines 13 to page 24, line 1. Therefore, it is respectfully submitted no new matter is added. Claims 3 and 11 are cancelled without prejudice or disclaimer.

In the outstanding Office Action, Claims 1-4, 6-7 and 9-17 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. 2002/0197955 (Witkowski) in view of JP 2001-112071 (Sugiura) and U.S. 5,046,007 (McCrery); and Claims 5 and 8 were rejected under 35 U.S.C. §103(a) as unpatentable over Witkowski in view of Sugiura and McCrery and further in view of U.S. 2001/0028297 (Hara).

Initially, it is respectfully submitted a *prima facie* case of obviousness has not been established regarding the rejection of Claim 16 under 35 U.S.C. §103(a). Claim 16, as previously presented, recites:

A vehicle, comprising:
a communication unit configured to receive a remote control signal from a locking mechanism of a door of the vehicle, the locking mechanism being configured to transmit the remote control signal when a key is inserted into the locking mechanism so as to cause the locking mechanism to lock;

a storage unit configured to store driving information and desired information; and

a control unit configured to transmit the driving information from the storage unit via the communication unit when the communication unit receives the remote control signal from the locking mechanism, and configured to receive desired information from an information storage unit remote from the vehicle via the communication unit when the communication unit receives the remote control signal from the locking mechanism and store the received desired information in the storage unit.

[Emphasis added].

¹ See Claims 3 and 11, now cancelled without prejudice or disclaimer.

As emphasized above, Claim 16 recites, *inter alia*, a communication unit which is configured to receive a remote control signal which is transmitted from a locking mechanism of a door. The remote control signal is transmitted when ***a key is inserted into the locking mechanism so as to cause the locking mechanism to lock.*** However, there is no indication in the Office Action that the above-noted features are disclosed or suggested by the cited references. Therefore, it is respectfully submitted a *prima facie* case of obviousness has not been presented, and the rejection of Claim 16 (and any claim depending therefrom) should thus be withdrawn.

Moreover, it is respectfully submitted none of the cited references disclose or suggest the features recited in Claim 16, and Claim 16 (and any claim depending therefrom) is thus allowable over the cited references. Additionally, if a new reference is cited against Claim 16 in a next Office Action, then it would be improper to make the next Office Action final.

As to the other claims, amended Claim 1 recites:

An information providing apparatus for transmitting desired information to information equipment loaded on a vehicle, comprising:
communication means for sending and receiving desired information using radio communications; and
control means
for monitoring a remote control signal from an electronic key corresponding to a key-less entry system for the vehicle via said communication means,
for identifying the vehicle based on vehicle identification information included in the remote control signal,
for controlling operations of an information output means for storing information and sending said information to said vehicle as well as operations of the communication means, wherein ***said control means starts up operations of said information output means by using the remote control signal from said electronic key as a trigger to select desired information based on said vehicle identification information and transmit said selected desired information to said vehicle,*** and
for controlling, when the remote control signal from said electronic key triggers said information output means to transmit said selected desired information to said vehicle, operations of an information input means for storing driving information transmitted from said vehicle.
[Emphasis added].

As emphasized above, Claim 1 recites a vehicle (to which information is transmitted to) is identified based on vehicle identification information included in the remote control signal, desired information is selected based on the vehicle identification information, and the desired information is transmitted to the identified vehicle. It is respectfully submitted the cited references fail to disclose or suggest the features recited in Claim 1.

In particular, none of the embodiments described in Witkowski include identifying the vehicle based on information included in a remote control signal. Consequently, Witkowski also fails to disclose or suggest selecting desired information to send to the identified vehicle based on the vehicle's identification, as recited in Claim 1.

None of the other cited references overcome the above-noted deficiencies of Witkowski. Of note, Sugiura does not describe selecting and transmitting information to a vehicle. Therefore, it is respectfully submitted Claim 1 (and any claim depending therefrom) is allowable over the cited references.

Although directed to different statutory classes and/or varying in scope, Claims 4, 6 and 9 recite features which are allowable over the cited references for substantially the same reasons as discussed above regarding Claim 1.

Moreover, new Claim 18 recites:

The information providing apparatus according to claim 1, further comprising ***means for determining a next driver to operate the vehicle identified in the vehicle identification information, wherein said desired information is selected based on the next driver.***

[Emphasis added].

As emphasized above, Claim 18 recites means for determining a next driver to operate the identified vehicle,² and the desired information (which is transmitted to the identified vehicle) is selected based on which next driver is identified. It is respectfully submitted none

² As noted on page 23 of the specification, in one aspect, "the central processing unit 25 detects a driver who uses the vehicle 5 in succession from the schedule of the vehicle 5."

of the cited references disclose or suggest this feature. Therefore, it is respectfully submitted
Claim 18 is further allowable over the cited references by virtue of this feature.

Consequently, in light of the above comments, the outstanding grounds for rejection
are believed to have been overcome and the pending claims are believed to be in condition
for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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